

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: CNX Gas Company LLC

RELIEF SOUGHT: RE-POOLING

UNIT NUMBER: M-41

DIVISION OF GAS AND OIL

DOCKET NO. VGOB 07-1016-0507-01

95-0420-0507-01



NOTICE OF HEARING

HEARING DATE: October 16, 2007  
PLACE: Southwest Virginia Higher Education Center  
Campus of the Virginia Highlands Community College  
Abingdon, Virginia 24210  
TIME: 9:00 AM

**COMMONWEALTH OF VIRGINIA:**

To: *P.J. Brown Heirs, Devisees, Successors or Assigns including Virginia Brown Palmer, Benjamin Patton Brown, Charles Henry Brown, William David Brown and Eugene L. Brown, Jr.*

1. **Applicant and its counsel:** Applicant is CNX Gas Company LLC, 2481 John Nash Blvd., Bluefield, West Virginia 24701, 304/323-6500. Applicant's counsel is Mark A. Swartz, P.O. Box 517, Abingdon, VA 24212.

2. **Relief sought:** Re-Pooling.

3. **Proposed provisions of order:** (a) Pooling all the interests and estates of the persons named above in coalbed methane in the unit in question; (b) Establishing a procedure whereby each respondent shall have the right to make elections; (c) Providing that any respondent who does not make a timely election shall be deemed to have leased or assigned his coalbed methane gas interests to the applicant at a rate to be established by the Board; (d) Designating CNX Gas Company LLC as Unit Operator; (e) Making any necessary provisions for the escrow of funds; (f) Granting such other relief as is merited by the evidence and is just and equitable, whether or not such relief has been specifically requested herein.

4. **Legal Authority:** Va. Code Ann. §45.1-361.1 et seq. 4 VAC 25-160-10 et seq. and relevant Virginia Gas and Oil Board Orders heretofore promulgated pursuant to law including OGCB 3-90; VGOB-91-1119-162; VGOB 92/02/16-0336; and VGOB 93/03/16-0349.

5. **Type of well(s):** Coalbed methane.

6. **Plat:** Annexed hereto are Exhibit A, Exhibit A1 and the Tract Identifications for Exhibit A. The Plat shows the size and shape of the unit and the boundaries of the tracts within the unit. The Tract Identification page shows the percentage of acreage in each tract. The plat is certified by a licensed professional engineer and is attested by the undersigned on behalf of the applicant to be in conformity with existing orders issued by the Board.

7. **Your interest or claim sought to be pooled by this Application pertains to coalbed methane gas.**

8. **Formation(s) to be produced and estimates:** All coal seams and associated strata below the Tiller seam of coal all as more particularly described in the annexed proposed order. The estimated total production from subject unit is 125 to 550 MMCF. The estimated amount of reserves from the subject drilling unit is 125 to 550 MMCF. These figures concerning estimated production and the amount of reserves are, however, estimates only that are not based upon actual production and should not be relied upon for any purpose. It should not be assumed that final production before plugging and abandonment will equal estimated reserves.

9. **Estimate of allowable costs:** \$442,570.13

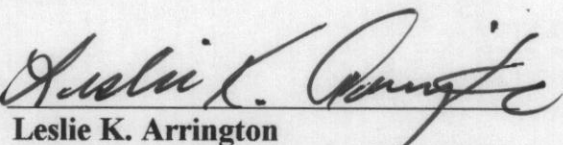
10. **Attestation:** The foregoing application to the best of my knowledge, information, and belief is true and correct.

**NOTICE IS FURTHER GIVEN** that this cause has been set for hearing and the taking of evidence before the Board at 9:00 AM, on **October 16, 2007**, at the Southwest Virginia Higher Education Center, Campus of the Virginia Highlands Community College, Abingdon, Virginia 24210, and that notice will be published as required by law and the rules of the Board.

**NOTICE IS FURTHER GIVEN** that you may attend this hearing, with or without an attorney, and offer evidence or state any comments you have. For further information or a copy of the application and exhibits, either contact the Virginia Gas and Oil Board, State Oil and Gas Inspector, Department of Mines, Minerals and Energy, Division of Gas and Oil, P. O. Box 1416, Abingdon, Virginia 24210, 276/676-5423 or the Applicant at the address shown below.

DATED: 9/13/07

**CNX Gas Company LLC**  
Applicant

By:   
**Leslie K. Arrington**  
**Manager – Environmental Permitting**  
for CNX Gas Company LLC  
2481 John Nash Blvd.  
Bluefield, West Virginia 24701  
304/323-6500





PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED  
BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

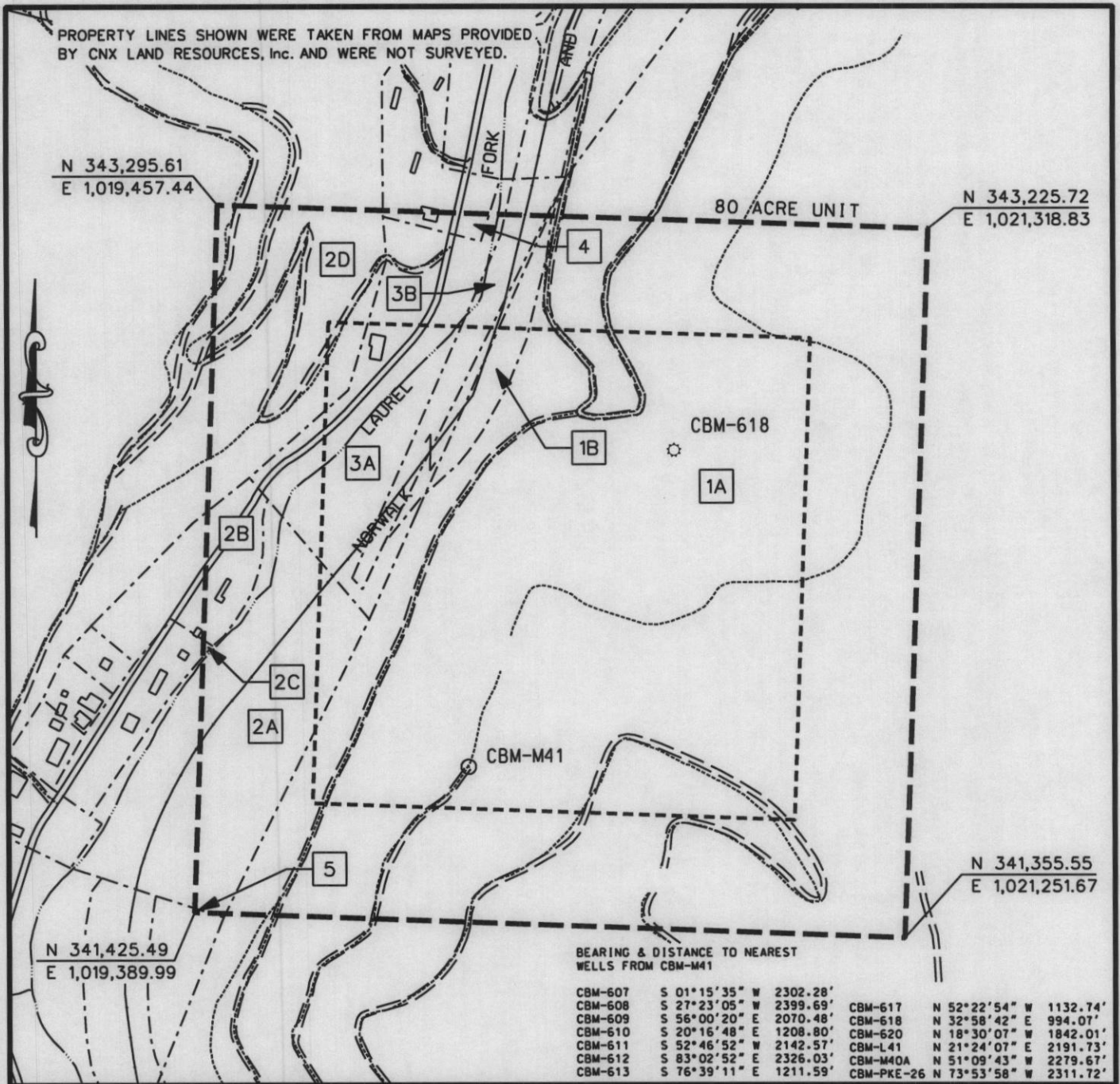


EXHIBIT A  
OAKWOOD FIELD  
UNIT M-41  
FORCE POOLING  
VGOB-95-0620-0507-01

Company CNX Gas Company LLC

Well Name and Number UNIT M-41

Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_

Quadrangle Jewell Ridge

County Buchanan District Garden

Scale: 1" = 400' Date 9/14/91

This plat is a new plat X ; an updated plat \_\_\_\_\_ ;

by RANDALL M. ALBERT  
Lic. No. 015584

Form DGO-GO-7  
Rev. 9/91

Randall M. Albert  
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)



# **CNX Gas Company LLC**

## **UNIT M - 41**

### **Tract Identifications**

1. P. J. Brown Heirs (889 Acre Tract) – Fee  
Island Creek Coal Company/Consol Energy, Inc. Company - Coal Below Drainage Leased  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased (99.46250%)  
59.24 acres                      74.0500%
- 1A. P. J. Brown Heirs - Surface
- 1B. Norfolk Southern Railway Company – Surface
2. David Horton, et ux (200 Acre Tract) – All Minerals  
Consolidation Coal Company – Coal Below Drainage Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
12.68 acres                      15.8500%
- 2A. Norfolk Southern Railway Company - Surface
- 2B. Reserve Coal Properties Company - Surface
- 2C. Unknown Surface Owner
- 2D. David Horton, et ux - Surface
3. David Horton, et ux (8.03 Acre Tract) – All Minerals  
Consolidation Coal Company – Coal Below Drainage Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
7.79 acres                      9.7375%
- 3A. Unknown Surface Owner
- 3B. Norfolk Southern Railway Company - Surface
4. Lowell R. Cole (2.54 Acre Tract) – Fee  
CNX Gas Company LLC – CBM Leased  
0.28 acres                      0.3500%
5. P. J. Brown Heirs (573.80 Acre Tract) – Fee  
Island Creek Coal Company/Consol Energy, Inc. Company - Coal Below Drainage Leased  
Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased (99.46250%)  
0.01 acres                      0.0125%